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P/4439-2

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

David Wallace Hanaman, et al.

Date: February 28, 2005

Serial No.: 10/668,476

Group Art Unit: 2128

Filed: September 22, 2003

Examiner: Thai Q. Phan

For: PERFORMANCE OPTIMIZER SYSTEM AND METHOD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION AND FEE FOR AUTOMATIC EXTENSION OF TIME
UNDER 37 CFR 1.17, 1.136(a) AND 35 USC 41(a)8

Sir:

Applicants hereby petition the Commissioner for Patents to extend the time for filing a response to the outstanding Office Action by THREE (3) months. Enclosed is our check No. 19733 which includes the amount of \$1020 for the petition fee in accordance with 37 CFR 1.17 computed as:

☒ Response within third month
☒ not small entity (\$1020) ☐ small entity (\$510)

You are authorized to charge to our Deposit Account No. 15-0700 any additional amounts owing.

If this petition is inadequate to avoid abandonment, the Assistant Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

EXPRESS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (mail label #EV342540322US) in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, Alexandria, VA 22313-1450, on February 28, 2005:

Dorothy Jenkins

Name of Person Mailing Correspondence

[Handwritten signature of Dorothy Jenkins]

Signature

February 28, 2005

Date of Signature

DAM:JJF:ck

Respectfully submitted,

[Handwritten signature of Douglas A. Miro]

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